

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ENREST JORD GUARDADO,

Petitioner,

vs.

STATE OF NEVADA, et al.,

Respondents.

3:11-cv-00248-RCJ-VPC

ORDER

Petitioner filed a petition and a motion for stay and abeyance (ECF Nos. 3 and 8) indicating that he had a petition for rehearing pending before the Nevada Supreme Court which had yet to be decided. Respondents have filed their opposition to the motion for stay and abeyance (ECF No. 12) and Petitioner filed a Notice of Withdrawal of the motion for say (ECF No. 6).

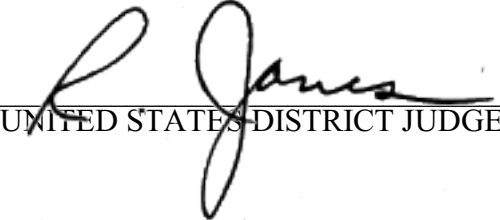
In light of petitioner's withdrawal of the motion for stay, the stay shall not be granted and the matter shall proceed in the regular fashion.

**IT IS THEREFORE ORDERED** that respondents shall have **forty-five (45)** days from entry of this order within which to answer, or otherwise respond to, the petition. In their answer or other response, respondents shall address any claims presented by petitioner in his petition as well as any claims presented by petitioner in any Statement of Additional Claims. Respondents shall raise all potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed, respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the

1 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have **forty-**  
2 **five (45) days** from the date of service of the answer to file a reply.

3 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the Attorney  
4 General of the State of Nevada a copy of every pleading, motion, or other document he submits for  
5 consideration by the Court. Petitioner shall include with the original paper submitted for filing a  
6 certificate stating the date that a true and correct copy of the document was mailed to the Attorney  
7 General. The Court may disregard any paper that does not include a certificate of service. After  
8 respondents appear in this action, petitioner shall make such service upon the particular Deputy Attorney  
9 General assigned to the case.

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11 Dated this 17th day of June, 2011.

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14 UNITED STATES DISTRICT JUDGE  
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